

BILL ANALYSIS

C.S.S.B. 804
By: Hegar
Ways & Means
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There is concern that the permissible uses for hotel occupancy tax revenue under the law are less than clear, and counties along the Gulf Coast, like Aransas County, that are authorized to use county hotel occupancy tax revenue for certain general purposes would benefit from an authorization to use that tax revenue for more specific purposes. C.S.S.B. 804 seeks to address this concern by authorizing the use of county hotel occupancy tax revenue in a county that borders the Gulf of Mexico and meets certain other criteria for the specific purposes listed in the bill.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 804 amends the Tax Code to expand the permissible uses for revenue from the hotel occupancy tax imposed by a county that borders the Gulf of Mexico, that has a population of 50,000 or less, and in which there is located at least one state park and one national wildlife refuge to include the use of that tax revenue to acquire, construct, furnish, or maintain facilities such as aquariums, birding centers and viewing sites, history and art centers, and nature centers and trails; advertise and conduct solicitations and promotional programs to attract conventions and visitors; and provide and maintain public restrooms and litter containers on public land in an area that is a tourism venue. The bill exempts the use of revenue from a county hotel occupancy tax imposed by a county under the bill's provisions from a provision of law otherwise limiting the use of revenue from the hotel occupancy tax imposed in a county that borders the Gulf of Mexico for the promotion of tourism to 50 percent or less of that tax revenue. The bill makes a conforming change.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.S.B. 804 omits provisions included in the original authorizing the acquisition, construction, furnishing, or maintenance of parks and the clearing of public land with revenue from the hotel occupancy tax imposed by certain counties. The substitute differs from the original by specifying that the authorized use of such tax revenue to provide and maintain public restrooms and litter containers on public land applies to public land in an area that is a tourism venue, whereas the original authorizes the use of such tax revenue to provide and maintain public restrooms and litter containers on public land without further qualification. The substitute differs from the original in nonsubstantive ways.